

PATENT APPLICATION
Serial Number: 09/960,668
Attorney Docket Number: SYN 1780

REMARKS

Applicants hereby submit this Amendment A responsive to the non-final Office Action—
Date Mailed: September 9, 2005, Paper No. 10, for which a response is due May 21, 2005 by a
shortened statutory period for reply set to expire three [3] months from the mailing date of the
Office Action.

Claims 1-65 are pending in the application. Claims 4, 7, 8, 13-17, 21, 26-50, 53-58 and
61-65 are withdrawn from consideration as non-elected claims. Claims 1, 3 and 51 are currently
amended. Claims 2, 10, 12, 18, 20, 24, 25 and 52 are original. Claims 5, 9, 11, 19, 23, 51, 59
and 60 were previously presented. Claims 6 and 22 are hereby canceled without prejudice. No
new matter has been added. Reconsideration is respectfully requested.

Claims 3, 5-6, 9-12, 18-20 are rejected under 35 U.S.C. 112, second paragraph, as being
indefinite for failing to particularly point out and distinctly claim the subject matter which
applicant regards as the invention.

While Applicants believe it to be proper to have tunable receivers included in dependant
claims, for the moment, in order to expedite prosecution, Claim 3 has been amended to remove
reference to tunable receivers. Thus, it is respectfully submitted that Claim 3 and claims
dependent thereupon are properly included with the present pending application and should be
included in any further office actions.

The specification is objected to as failing to provide proper antecedent basis for the
claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the
following is required: in regard to claim 6, the specification does not use the terminology
"mutually exclusive". The specification clearly teaches of the concept of distinct ones of the
subsets. However, rather than amend Claim 6, Claim 6 has been canceled without prejudice.

Claims 1-3, 5-6, 9-12, 18-20, 24-25, 51-52, 59-60 are provisionally rejected under the
judicially created doctrine of obviousness-type double patenting as being unpatentable over
claims 30-33 and 40 of copending Application No. (09/960212-US2002/0063927).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) has been filed to
overcome the provisional rejection based on the nonstatutory double patenting ground. The
conflicting application or patent is commonly owned with this application as set forth in the
concurrently filed Terminal Disclaimer.

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Claims 22-23 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 30-33 and 40 of copending Application No. 2002/0063927 in view of either Gilhousen et al (204/0156427) or Ofek (6674754).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) has been filed to overcome the provisional rejection based on the nonstatutory double patenting ground. The conflicting application is commonly owned with this application as set forth in the concurrently filed Terminal Disclaimer.

Claims 1-2 and 51-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bottle (5303077) in view of Harrington (Synchronization Techniques for Various Switching Network Topologies).

Claims 3, 5-6, 9-12, 18, 24-25 and 59-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bottle (5303077) in view of Harrington (Synchronization Techniques for Various Switching Network Topologies) in view of Suzuki et al (5005166).

Bottle et al. describe a space-time switching system. Please note the TSI (121 to 12n) in Bottle's FIG. 1 is Time-Space Interchange, which is a common terminology in circuit switching that are using both time and space. Therefore, Bottle's et al invention already has time. However, both Bottle's meaning of time and Harrington's meaning of time is different than the time in Applicants' claimed invention. In the claimed invention, common time reference provides a time-of-day and specifically the time that is derived from the UTC (coordinated universal time) second.

Thus, in order to further patentably distinguish the current claimed invention from Bottle in view of Harrington, Claim 1 and Claim 51 are amended to specifically define the TF (time frame), TC (time cycle) and SC (super cycle) as directly derived from the UTC second. Claim 22 of the present invention is integrated into Claim 1 as amended and Claim 22 is hereby canceled without prejudice. By this explicit change the claims provide global phase (rather than only frequency) synchronization. This provides yet another patentable distinction over Bottle in view of Harrington.

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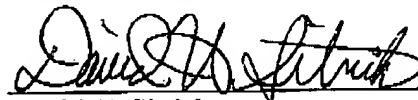
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Applicants respectfully submit that any and all objections and rejections are hereby traversed and overcome, and the application is in proper form for allowance. A Notice of Allowance or Allowability is respectfully requested.

The Director has been previously authorized to charge any additional fees and credit any overpayments during the pendency of this application to Sitrick & Sitrick's Deposit Account Number: 501166. A Terminal Disclaimer fee is due and paid via an appropriate Fee Transmittal herewith submitted.

The Examiner is invited to directly communicate with the undersigned, if it will in any way facilitate the prosecution of the application.

Respectfully submitted,



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December 9, 2005

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